

STATE OF MARYLAND  
PRE-PROPOSAL CONFERENCE  
AUDITING, ACCOUNTING AND CONSULTING SERVICES  
DHMH-OPASS-18-17428

AT  
201 WEST PRESTON STREET  
ROOM L4  
BALTIMORE, MARYLAND 21201

FROM  
1:06 P.M. - 2:02 P.M.

December 21, 2016

PRESENT:

SABRINA LEWIS  
THERESA AMMONS  
JANELLE ROBINSON  
ARDENA WALKER  
DARLENE WALKER

REPORTED BY: CHRIS HOFER, CVR, NOTARY PUBLIC

- - -

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P R O C E E D I N G S

1  
2 MS. LEWIS: My name is Sabrina Lewis. I am  
3 the procurement and MBE coordinator for this contract.  
4 This is the Audit, Accounting and Consulting Services.  
5 Contract Number is DHMH-OPASS-18-17428 just to make  
6 sure you're in the right place.

7 I do want to start an introduction around so  
8 that you can go ahead and introduce yourself and  
9 identify yourself, if you are an MBE company or if you  
10 are prime.

11 I will start with Theresa.

12 MS. AMMONS: Theresa Ammons and I'm the  
13 contract officer assigned to this project, also some  
14 procurement and support services.

15 MS. ROBINSON: Janelle Robinson. I'm the  
16 director of the MBE program.

17 MS. WALKER: Ardena Walker, director, Office  
18 of Finance contract monitor.

19 MS. WALKER: Darlene Walker. I'm the  
20 procurement coordinator. I work with Sabrina.

21 MS. BAILEY: I'm Monica Bailey with Adams &

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1 Associates, CPA, and we are an MBE.

2 MR. JEGEDE: James Jegede with Exact  
3 Financial Services and we are an MBE.

4 MR. COPELAND: William Copeland with  
5 Copeland, LLC, MBE and VSBE.

6 MR. DAVIS: Michael Davis, Pinnacle  
7 Enterprise Business Solutions. We are not yet MBE, but  
8 we're veteran owned.

9 MR. ALLEN: John Allen with Hamilton  
10 Enterprises and we are an MBE.

11 MS. SMALLEY: Sara Smalley, Rufus Ingram, and  
12 we are an MBE.

13 MR. BULLOCK: Louis Bullock, SQN Systems. We  
14 are MBE and VSBE.

15 VOICE: Tim (Indiscernible) with Myers and  
16 Stauff and we are a prime.

17 MR. DRESSLAR: John Dresslar with Myers and  
18 Stauff.

19 MS. LEWIS: Okay. With that said, we are  
20 going to begin with Theresa and Theresa will do the  
21 overview of the procurement process for this RFP.

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1 Take it away.

2 MS. AMMONS: As I said before, my name is  
3 Theresa Ammons. I'm one of the contract officers with  
4 the Office of Procurement and Support Services.

5 I will give you my telephone number and my e-  
6 mail address. But be assured everything that we are  
7 going to share with you as a overview and the MBE  
8 information, all of this is in the packet. It's in the  
9 RFP document. So if you were to miss anything, you  
10 know, just take your time and read that.

11 My telephone number is (410)767-1361 and the  
12 e-mail address is theresa.ammons@maryland.gov. And the  
13 Ammons is A-M-M-O-N-S.

14 VOICE: You're not in the procurement  
15 documents?

16 MS. AMMONS: Everything I'm saying is in the  
17 procurement document. That's what I'm saying.

18 As Sabrina was saying, this meeting is to go  
19 over the specifications, the request for proposals for  
20 auditing, accounting and consulting services.

21 The Department intends to make a single award

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1 as a result of this procurement. We've already  
2 directed you to the sign-in sheets and the agenda and  
3 your business card. And just in case we need to get in  
4 contact with anyone after this meeting, that will be  
5 our information to get back with you.

6 As the document listed, the procurement is  
7 this contract, the resulting contract, will be for a  
8 duration of five years, five straight years, no option  
9 periods.

10 So I'm just going to go -- just highlight  
11 different sections in the RFP. Section 1 is general  
12 information and that's on Page 8 of the RFP. And as  
13 noted, as I said before, the title and the reason for  
14 the services, the accounting, auditing and consulting  
15 services for the State medical assistant  
16 reimbursements, make sure that they are in compliance  
17 with State and Federal laws and regulations.

18 All information and documents pertaining to  
19 this project will be posted on eMaryland Marketplace  
20 and the DHMH website and those addresses are in the  
21 document.

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1           Please remember that in order to receive an  
2       award, a vendor must be registered on eMaryland  
3       Marketplace. I understand the registration is free,  
4       but you do have to be registered with eMaryland  
5       Marketplace to receive an award.

6           Now, prior to this pre-proposal conference, I  
7       did post an addendum on eMaryland Marketplace. When  
8       the document was first posted, I had some problems with  
9       two of the exhibits, so they weren't included in the  
10      posting. So since that -- since then, Exhibits 8 and 9  
11      -- Exhibits --

12           MS. LEWIS: It's okay.

13           MS. AMMONS: -- Exhibits 8 and 9 have been  
14      posted. And the anticipated contract term was also  
15      included in that post on eMaryland Marketplace.

16           I'd like to stress to everyone today that  
17      when we get to the questions and answer portion of the  
18      meeting, we ask that -- obviously you're going to ask  
19      your question. To the extent possible, we will answer  
20      it, answer your question today. If we have to research  
21      the answer, it will be included along with the minutes

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1 of the meeting.

2 But we also ask that you -- when you get back  
3 to your offices, if you could, send us that question in  
4 writing and make sure we -- that way, we won't have any  
5 problem with the clarity of our answer to you.

6 So, you know, ask the question today,  
7 identify yourself, but we ask that to the extent  
8 possible that you send it to us in writing. So the  
9 questions and answers along with the minutes and any  
10 other documents if required will be posted to eMaryland  
11 Marketplace and our DHMH website.

12 Subsection 1.9 is dealing with questions that  
13 we will be receiving from you. That's on Page 9 and it  
14 tells you who to send the question to and that's the  
15 procurement officer.

16 And I'm asking that you -- when you submit  
17 your questions to her on the address that's entered on  
18 the document and is a DHMH DOT solicitation questions  
19 at maryland.gov that you include a copy to Sabrina and  
20 myself, to the procurement coordinator and myself just  
21 to make sure we cover all aspects of this procurement.

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1           We do ask that you submit your questions no  
2 later than five days prior to the proposal due date.  
3 That way, it gives us enough time to research your  
4 question. We're going to have to post it on eMaryland  
5 Marketplace and the DHMH website.

6           Again, the expected contract as a result of  
7 this procurement will begin July 1, 2017 and end June  
8 30th, 2022. Sabrina and I will be retired.

9           There's a subsection also in the document,  
10 1.30, which deals with payment by electronic funds  
11 transfer. And it's to let you know that we give -- the  
12 winning offeror who will become the contractor will be  
13 paid via electronic funds transfer. There won't be any  
14 paper checks there.

15           I would like to go over these points real  
16 quickly here. The procurement method used for the  
17 solicitation is competitive sealed proposal and there  
18 are several steps involved in this method, so we want  
19 to make sure that you draw your attention to that.

20           Section 2, Subsection 2.1, which is on Page  
21 28, lists the -- your -- the offeror's minimum

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1 qualifications. And as noted, the offeror must prove,  
2 must provide proof with your proposal that the minimum  
3 qualifications have been met.

4 The scope of work, background and the purpose  
5 is listed in Section 3. And this subsection gives an  
6 outline of the responsibility of the contractor.  
7 That's the background and the purpose.

8 Then also in Section 3 is the scope of work,  
9 the requirements. And that begins -- also begins on  
10 Page 29. This is the meat of the solicitation and it  
11 gives -- we hope to give you a clear understanding of  
12 everything the Department expects of the successful  
13 offeror in the provision of its services.

14 Ms. Walker, the contract monitor, will be  
15 giving you further emphasis on the scope of work.

16 The proposal format, offerors are required to  
17 submit their responses to the RFP in two parts.  
18 Section 4, proposal format, begins on Page 53 and it  
19 clearly lists all submission requirements.

20 Your proposals shall be submitted in two  
21 separate volumes. Volume 1 is the technical proposal

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1 and we ask that you submit that in a separately sealed  
2 envelope. Volume 2 is the financial proposal and we  
3 also ask that that will be submitted separately in a  
4 separately sealed envelope.

5 It can all come together, but when we open up  
6 the packet, we want to see Volume 1 separate from  
7 Volume 2 because we only look at the financial proposal  
8 after the technical proposal has been evaluated by the  
9 evaluation committee.

10 Subsection 4.2 dealing with proposals, the  
11 technical proposal lists all of the documents and  
12 information required with your technical proposal. If  
13 you decide to submit your copy of the technical  
14 proposal on a CD, I'm asking that you make sure that  
15 you submit it in a sleeve.

16 Just last week, I had to open or use a CD  
17 from a vendor and because they just stuck it in the  
18 mailings envelope, it was stuck. It was all stuck and  
19 I couldn't read it, so -- and now -- but now a lot of  
20 people use a flash drive or the CD. But if you do old  
21 school and use a CD, just make sure it's a sleeve in

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1 there so I can read it. Okay?

2 VOICE: So will you take flash drives?

3 MS. AMMONS: Oh, yeah. Uh-huh, definitely.

4 Okay. The contract resulting from this RFP  
5 does have a 15 percent MBE goal that's been  
6 established. And we want to make sure that you  
7 complete the MDOT certified MBE utilization and fair  
8 solicitation affidavit which is Attachment D. This  
9 attachment must be provided in a separately sealed  
10 envelope.

11 There's a one percent VSBE goal for this  
12 contract and we also ask that that be provided in a  
13 separately sealed envelope. The -- our MBE director,  
14 Janelle Robinson, will giving you more details on the  
15 MBE and VSBE goal.

16 The following numbers of technical proposals  
17 are required. We're asking for one original unbound  
18 set of the technical proposal, for five unbound copies  
19 and one electronic version. That's what I was saying  
20 before, either CD, DVD, flash drive, whatever the, you  
21 know, way you can provide, but ask that this be in

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1 Microsoft Word format.

2 And then we ask for a second electronic  
3 version in a searchable PDF format. And this is the  
4 one that we will use when we get requests for public  
5 information. So we would -- this copy should be --  
6 shall be redacted so that confidential and/or  
7 proprietary information has been removed. Okay?

8 Within five days of you being notified that  
9 you are recommended for award, we ask that you complete  
10 and submit Attachment C which is the contract  
11 affidavit. As part of that document, we ask for the  
12 name of your resident agent and sometimes vendors can't  
13 offhand remember who the resident agent is. And if  
14 that is the case, we ask that you call the State  
15 corporate charter division and that's at (410)767-1330.  
16 And that's -- the office is located next door in the  
17 301 building.

18 Please know that the contract shall not  
19 become effective until the contract affidavit is signed  
20 and returned after your official notification.

21 To simplify the submission, Section 4.4 which

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1 is the technical proposal, as I said before, shows  
2 where documents and information should be included in  
3 your technical proposals. There are different tabs  
4 that you can include the information on.

5 Subsection 4.5, Volume 2 is the financial  
6 proposals, and that's on Page 60, under separate sealed  
7 cover from the technical proposal, the technical  
8 proposal clearly identified in the format.

9 Section 4.4 -- 4.2 proposals, the offeror  
10 shall submit one original unbound copy, as I said  
11 before, for the financial proposal. We ask for five  
12 unbound hard copies, one electronic version and that  
13 CD, DVD or flash drive, but we ask that it be in  
14 Microsoft Word.

15 The financial proposal instructions can be  
16 found on Page 115 of the RFP. And for the purposes of  
17 this procurement, the financial proposal worksheets are  
18 included in Excel documents. That's one of the  
19 documents that were posted to eMaryland Marketplace.  
20 So you're going to have a financial Attachment F that's  
21 a part of the document and then you're going to have

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1 the worksheet, financial proposal worksheets that's in  
2 Excel document, okay, Excel format. Okay. And it's  
3 also posted.

4 So you'll get all those documents and  
5 Attachment F within an envelope and that's your  
6 financial proposal.

7 If there are any questions regarding -- I  
8 don't know if you've had time to actually review them  
9 yet, but when you get back to your offices or even now,  
10 if there are any questions regarding the Excel  
11 financial worksheet, you can address the program staff  
12 here today.

13 The evaluation committee, the evaluation  
14 criteria and selection procedure are outlined in  
15 Section 5 and that begins on Page 61. Your proposals  
16 will be evaluated by a committee organized for that  
17 purpose and would be based on the criteria set forth in  
18 the RFP. So we list it in the RFP letting you know  
19 exactly what we'll be looking for.

20 The technical criteria listed in descending  
21 order of importance can be found in Subsection 5.2 and

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1 that's on Pages 58 and 59 with the financial proposal  
2 criteria listed in Subsection 5.3, Page 61.

3 The selection procedure is highlighted in  
4 Subsection 5.5. And as noted, the contract will be  
5 awarded to the responsible offeror that submits the  
6 proposal determined to be the most advantageous to the  
7 State considering technical evaluation factors and  
8 price factors as set forth in the RFP.

9 Documents required upon notice of  
10 recommendation for award is listed in Section 5.6, Page  
11 63.

12 Now, finally, other than composing your  
13 technical and your financial proposals, the most  
14 important matter is to get your proposal to us by the  
15 date, time and location listed.

16 And usually at this point, I would say, you  
17 know, to look at the key information sheet which is the  
18 beginning pages of the document. And it lists --  
19 clearly states where proposals are to be delivered  
20 either by hand delivery or mail and the due date of the  
21 -- the due date for submission.

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1 But considering the fact that we have two  
2 holidays, we have Christmas next week and then -- and  
3 the proposal states that the proposed -- no. In the  
4 RFP, it states that your proposals are due on January  
5 the 18th. The 16th is our observance of Dr. King's  
6 birthday, so it's a lot going on.

7 So we think it's best for the State and best  
8 for potential vendors, offerors to extend the due date  
9 for the proposals and give you a little bit more time.  
10 Okay? So we'll be posting an addendum in eMaryland  
11 Marketplace and DHMH website after this meeting the new  
12 deadline for the proposal is Tuesday, January 31st,  
13 2017, Tuesday, January the 31st, 2017. The time is  
14 still two o'clock local time. The location is still  
15 the same. Nothing else has changed except for the  
16 date. Okay?

17 Also I want to let you know we -- that  
18 recently they have increased security when people are  
19 coming into the building. And we've always had it, but  
20 it's more emphasis to it now. So I just wanted to let  
21 you know that when you come in, there may be someone

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1 downstairs who will want to see your ID and question  
2 where you're coming and all that good stuff.

3 So I want you to keep that in mind if you  
4 wait 'til the day of the deadline at two o'clock. If  
5 you come like five minutes to two, you may not be  
6 upstairs on the 4th floor reception area by two  
7 o'clock. And so I'm going to have it in the minutes  
8 that I told you. Okay?

9 Sabrina reminded me that security really,  
10 they want us to tell them ahead of time who's going to  
11 be coming. Of course, we have no way of knowing that.  
12 So what I did for the pre-proposal conference, I gave a  
13 flyer letting them know that we were having a pre-  
14 proposal conference. It was open to the public and  
15 whoever mentions that they're coming for the  
16 conference, that they will be allowed to come up.

17 So the same thing will be for the deadline  
18 for proposals. As, you know, this proposal meeting,  
19 pre-proposal conference meeting started at one o'clock,  
20 we didn't have to start one o'clock, 1:05, but for the  
21 deadline of your proposals, it's at two o'clock. We

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1 cannot accept anything after two o'clock. Two oh one  
2 is too late. So I'm just trying to stress that for you  
3 as much as possible. Okay?

4 The three acceptable means of delivery of  
5 your proposal is listed in Subsection 4.3 and that's by  
6 U.S., you know, Postal Service, hand deliver delivery  
7 and ask for a receipt or you can use a commercial  
8 carrier. Either way, ask for a receipt as your proof  
9 that you got your documents to us in time.

10 Please remember, as I said before, that after  
11 this pre-proposal conference, prospective offerors may  
12 have their questions answered by us to help you  
13 understand the RFP. Just keep in mind don't wait 'til  
14 the last minute because we need time to research the  
15 answer, post it on eMaryland Marketplace, the DHMH  
16 website and give you the answer also.

17 So if you have any questions or answers, feel  
18 free to contact me at the number (410)767-1361. And my  
19 last thing is good luck.

20 MS. LEWIS: Now, while she's here, does  
21 anyone have any questions or are unclear what she is

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1 speaking about?

2 (Whereupon, there was no response.)

3 MS. LEWIS: Okay. Well, we're now turning it  
4 over to Janelle and she will be speaking in regards to  
5 the MBE participation.

6 MS. ROBINSON: Good afternoon. Janelle  
7 Robinson, MBE director.

8 The MDOT certified MBE utilization and fair  
9 solicitation affidavit which is Attachment D1 must be  
10 fully and accurately completed and submitted along with  
11 your bid or proposal. Failure to do so will result in  
12 your bid or proposal being deemed nonresponsive. I  
13 can't stress how important that is. Really I can't.  
14 It's very, very, very, very important.

15 On the D1 form, you must first acknowledge  
16 and express your intention to meet the overall MBE goal  
17 percentage established for this solicitation. As there  
18 are no sub-goals established for this solicitation,  
19 there's no need to fill in the sub-goal portion of that  
20 attachment. You could just skip right over that.

21 The MBE participation schedule should include

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1 the names of the minority business enterprises that you  
2 intend to use to meet the required MBE goal along with  
3 their federal employment identification number, their  
4 MDOT MBE certification number as well as their  
5 certification category. Only MDOT MBE certification is  
6 acceptable. MBE certification from another entity or  
7 jurisdiction will not be accepted.

8 Additionally, the percentage of the total  
9 contract value to be provided by the particular MBE  
10 should be entered as well as the specific description  
11 of the work that is to be performed by that particular  
12 MBE.

13 In summary, you will break down the specific  
14 MBE status of the particular MBE subcontractors and  
15 this should be equal to or exceed the MBE goal  
16 established for this solicitation.

17 Within ten working days of receiving notice  
18 that your firm is the apparent awardee, you must submit  
19 your outreach efforts compliance statement, Attachment  
20 D2, and your subcontractor project participation  
21 certification which is Attachment D3.

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1           You may request a waiver of the MBE goal and  
2       within ten working days of receiving notice that your  
3       firm is the apparent awardee, you must submit all  
4       waiver documentation in accordance with COMAR  
5       21.11.03.10.

6           Please carefully review the liquidated  
7       damages provisions in the solicitation regarding  
8       compliance with the MBE rules and regulations. Per new  
9       regulations, MBE prime contractors may count 50 percent  
10      towards the established subcontracting goal and 100  
11      percent towards any sub-goals which does not apply.

12          Again, cannot stress the D1, so important to  
13      get it right and included and every dot -- I dotted and  
14      T crossed. Can't stress it enough.

15          In regards to the VSBE goal, there is a one  
16      percent VSBE goal on this contract. The VSBE  
17      utilization affidavit and subcontractor participation  
18      schedule is Attachment M1, also must be fully and  
19      accurately completed and submitted along with your bid  
20      or proposal. Failure to do so may result in your bid  
21      or proposal being deemed nonresponsive.

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1           On the M1 form, you must first acknowledge  
2           and express your intention to meet the overall VSBE  
3           goal percentage established for this solicitation. The  
4           VSBE subcontractor participation schedule should  
5           include the names of the veteran-owned business  
6           enterprises that you intend to use to meet the required  
7           goal along with their DUNS Number.

8           Only United States Department of Veteran  
9           Affairs' certification is acceptable. VSBE  
10          certification from another entity or jurisdiction will  
11          not be accepted.

12          Additionally, the percentage of the total  
13          contract value to be provided by the particular VSBE  
14          should be entered as well as a specific description of  
15          the work that is to be performed by that particular  
16          VSBE.

17          Within ten days, ten working days of  
18          receiving notice that your firm is the apparent  
19          awardee, you must submit your subcontractor project  
20          participation statement which is Attachment M2.

21          You may request a waiver of the VSBE goal and

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1 within ten working days of receiving notice that your  
2 firm is the apparent awardee, you must submit all  
3 required waiver documentation in accordance with COMAR  
4 21.11.13.07.

5 In the summary, you will enter the total VSBE  
6 participation and this should be equal to or exceed the  
7 VSBE goal established for this solicitation.

8 I'll say it one more time. The M1 and the D1  
9 are extremely important. If they're not filled out,  
10 your entire proposal will be rejected, will be deemed  
11 nonresponsive and it starts with me, so --

12 MS. LEWIS: Because when they come in, I ask  
13 you take those envelopes out, the M1 and the D1, and I  
14 give them to Janelle, Ms. Robinson, and she looks at  
15 that first before we even distribute your proposals to  
16 the evaluation committee.

17 MS. ROBINSON: So if it's not right --

18 MS. LEWIS: It won't even go further.

19 MS. ROBINSON: -- it won't even go any  
20 further than me. So I just want to make sure that  
21 everybody understands.

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1 Does anybody have any questions for me?

2 (Whereupon, there was no response.)

3 MS. ROBINSON: All right. Thank you very  
4 much.

5 MS. LEWIS: We will now turn it over to Ms.  
6 Ardena Walker and she is the contract monitor on this  
7 contract. And she will now give you an overview of  
8 what the subject matter is, the scope of work of this  
9 particular RFP.

10 MS. WALKER: Okay. I'm going to review  
11 starting from Page 29 just to point out a few things  
12 under the scope of work. And I'm going to be starting  
13 from 3.2.1. And essentially this contract has a lot of  
14 components to it, so I'm going to try not to jump too  
15 far around in it.

16 But essentially it is for basically issuing  
17 cost settlements for what we would call non-nursing  
18 facilities. There are different types of non-nursing  
19 facilities and those are mainly identified on Page 32,  
20 but they're State hospitals, residential treatment  
21 centers, State operated ICF and MAR facilities, non-

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1 State operated hospitals and others.

2 And we're still sort of in a transition phase  
3 from nursing facilities because the nursing facilities  
4 used to be cost settled. But effective FY '15, there  
5 was a transition to a prospective payment system for  
6 them. So we're sort of almost through that transition,  
7 so the volume of cost settlements to be issued of this  
8 component has changed some, but we're looking at  
9 approximately 212 nursing facilities and another 86  
10 non-nursing facilities and that whole combination  
11 together.

12 So that's the -- basically the scope as it's  
13 related to the audit verifications. There are varying  
14 COMARs associated with each provider type as well. So  
15 we're looking for the cost report submissions, the lack  
16 of cost report submissions, the issuance of the cost  
17 settlements, any appeals of, you know, cost settlement  
18 issues. Those things are done in accordance with the  
19 applicable COMAR for that provider type.

20 So that's the cost settlement piece. There's  
21 also rate setting for, as I said, the transition that's

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1 happened to prospective payments, so there's rating  
2 setting now for the nursing facilities. So those  
3 things are done annually and that's also done in  
4 accordance with the new COMAR for the nursing  
5 facilities.

6 My counter to also long-term care basically  
7 is the programmatic part of this contract. So we sort  
8 of share responsibilities. So as far as the rate  
9 setting is sort of handled by that particular division,  
10 so I don't see them here, but if you have any questions  
11 related to the rate setting part of it, then they'll be  
12 submitted to Sabrina or either to Theresa and then they  
13 will have them respond to you.

14 I don't want to say something that I'm not  
15 100 percent involved in as far as what the rate setting  
16 is, but the transition is I would say 99.9 percent  
17 complete. And so now just the nursing facilities are  
18 under rate setting, but the non-nursing facilities are  
19 still cost settled.

20 And so I think those are really the main two  
21 components as far as we relate to the audit and

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1 verification, the types of audits, our desk audits, our  
2 on-site audits. There are scopes that are done to  
3 determine, you know, which type is going to happen for  
4 that particular year for that particular facility.

5 We, of course, have a couple of the time  
6 frames. And, again, that's all in accordance because  
7 there are varying COMARs associated, you know, with  
8 each provider type.

9 Time is of the essence with the things that  
10 we do and that's because we are under audit. The  
11 Department is under audit and so we rely heavily on the  
12 timely completion and submission of things to occur  
13 because as we're audited, then those basically become  
14 findings for the Department and basically would  
15 constitute in my mind that the contract is not being  
16 fulfilled as it needs to be.

17 So, you know, I just need to say that, that  
18 the timeliness of getting things is really important,  
19 you know, to me.

20 There's a Section 35 I'm going to take you to  
21 and that's the nursing -- well, I talked a little bit

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1 about the prospective rate setting and management of  
2 supporting data. Again, the management of the  
3 supporting data and they'll be acronym more as MSD data  
4 set. That's another component that's handled by the  
5 Office of Long-Term Care.

6 And, again, my counterpart is not here to  
7 speak to that. That's not something that I'm  
8 absolutely involved in, but definitely did a good job  
9 laying out pretty much what happens, you know, under  
10 that particular part. You got questions about it,  
11 again to Theresa or Sabrina and then they will have  
12 that person respond, you know, back to you if you need  
13 any details on that.

14 Let's see here. I talked a little bit about  
15 the -- I'm on Page 36 now, but the nursing facility  
16 prospective rate setting. The vendor for this contract  
17 will perform the rate setting for the nursing  
18 facilities. Again, that transition is like 99.9  
19 percent complete, so now we'll be 100 percent rate  
20 setting for those nursing home providers.

21 There are a lot of components to the rate

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1 setting. There are a lot of time lines that need to be  
2 adhered to so that the new rates can be issued  
3 effective the next FYE for those more than 200 nursing  
4 facilities. So those specifics in there.

5 Let's see. On Page 37, that was the MDS.  
6 Again, that's that data use agreement as well, so those  
7 questions would have to go to Office of Long-Term Care.

8 For any appeals or whatever that are related  
9 to the issuance of cost settlements, there will be  
10 representation by the CPA firm in reference to those.  
11 And typically those are done NOEH and the expectation  
12 is that the work papers and that you're there to  
13 support, you know, it.

14 Position papers, typically things, you know,  
15 get settled, but still, you know, the presence is  
16 definitely required there, you know, to represent the  
17 State and the work that, you know, has been produced.

18 Another part of this contract are special  
19 projects. There are occasions where either other State  
20 agencies or other DHMH departments may contact me and  
21 say, you know, we may want to start setting rates for

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1 another division or we need a response to CMS because  
2 we need to set rates for, you know, another agency or  
3 whatever.

4 So there, of course, will be a discussion  
5 with the vendor about what we need done and then at  
6 that point, I may do an assignment to assign to perform  
7 that work. So that's another component of this.

8 And, you know, over the past four years that  
9 I've been the contract monitor, we have had to assign  
10 some -- I'm going to say some special projects that are  
11 definitely time driven. So, you know, just the  
12 timeliness, you know, of response and completion is a  
13 major impact because we have time lines associated with  
14 our submissions to CMS, time lines as far as they  
15 relate to auditors, you know, requiring data and  
16 support from us about the timeliness.

17 So one of the major factors of this contract  
18 is the timeliness of how things are done because, in  
19 essence, they're all COMAR or federal -- federally  
20 statute driven. So that's, you know, that's really an  
21 important aspect.

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1           So I couldn't really like just give you a  
2 list of special projects that may come because I don't  
3 know what they are, but there's definitely a  
4 discussion, you know, with the vendor about what the  
5 special project is and basically the qualifications  
6 should be able to perform that if that vendor is  
7 selected for, you know, for this contract.

8           So we have that. Let's see here. Other  
9 support services, we receive a lot of Public  
10 Information Act requests as well. And so that's also  
11 handled by the contractor for this particular contract.

12           Typically the request will come through the  
13 Department. The Department basically sometimes -- most  
14 times acts as the pass through between the actual  
15 providers and the contractor in many instances as well.  
16 So those -- we communicate frequently with the  
17 contractor as far as all aspects of the scope, but more  
18 importantly with the PIA request.

19           And there was just a whole big rollout on a  
20 brand new PIA process, so they now have a PIA  
21 commission. And so now there are I would say

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1 consequences to the Department if we're not responsive  
2 in a way that we need to be.

3 And if you're asking for public information  
4 request, it used to be we had 30 days to respond. Now  
5 we have ten days to tell you if we're going to get to  
6 you or get it to you within 30 days and, if not, then  
7 it can progress from there. So that's one of the also  
8 components within this contract.

9 I think Page -- I think I missed a page. I  
10 left Page 40 out or I'm missing Page 40. I went from  
11 39 to 41, so tell me if it's me. Okay. You have 40.  
12 Okay.

13 So I talked about the special projects and  
14 that's on Page 40. Let's see here. Again, I talked  
15 about the time frames and that's -- I can't stress that  
16 enough, just the timely completion, you know, or  
17 responses. Sometimes there will be sudden meetings  
18 because we don't know where we're going to get  
19 questions from, you know, CMS or have to respond. So  
20 sometimes it may be 24 hours.

21 It's nothing for me to send an e-mail out to

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1 a contractor 11 o'clock at night because I may need it  
2 that morning or whatever, so responsiveness is, you  
3 know -- and it's just that, you know, we have to  
4 timely, you know, respond to certain things.

5 So we have that. And I think -- yeah, here.  
6 All right. So we'll start there and get that back to  
7 you. Of course, there are certain reports and, I mean,  
8 you guys can read, you know, the stuff here, but we  
9 really looked into the scope of work and tried to be as  
10 detailed as possible about the different things that,  
11 you know, we need to have.

12 The staffing as far as the experience of each  
13 staff person and the significance of that is certain  
14 submissions that we do to CMS, they're looking for or  
15 require certain professional experience and education  
16 levels and background for the State of Maryland's  
17 submission to be considered approved.

18 And so that's, you know, the other point that  
19 I just wanted to stress. So that's why we specifically  
20 identified and tried to put in educational and  
21 experience levels for each of the employee types of the

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1 CPA firm.

2 I think that's sort of -- hope I didn't run  
3 through that too fast, but if you've got questions, you  
4 know, for me, feel free.

5 MS. LEWIS: Okay. Anybody, because we're now  
6 at the Q and A part where what Ardena has went over --  
7 the part that she did say in regards to, I think it was  
8 the rates -- rating settings that --

9 MS. WALKER: Yes, that's the rate setting.  
10 Yes.

11 MS. LEWIS: The person she says that is not  
12 here right now, once you say whatever questions, if you  
13 have any questions in regards to that that Ardena will  
14 not be able to respond to, do send those questions to  
15 us in writing and we will get the response from the  
16 person that needs to respond to it and get that back  
17 out to you. Unfortunately, he's not here today.

18 Oh, before we do the Q and A, there was a  
19 couple of people that came in that were late. If you  
20 can identify who you are and if you're MBE or if you're  
21 a prime.

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1 VOICE: I'm an MBE and a veteran services  
2 enterprise.

3 MS. LEWIS: Okay. And your name, sir?

4 MR. GAILLARD: I'm Sam Gaillard, principal of  
5 Gaillard & Associates.

6 MS. LEWIS: Okay. And --

7 MS. WALKER: Are you an MBE or a prime?

8 MR. GAILLARD: Yes, I'm an MBE certified with  
9 MDOT.

10 MR. TAYLOR: My name is Frank Taylor from FS  
11 Taylor & Associates and an MBE.

12 MS. LEWIS: Okay. After this is over with,  
13 there is a sign-in sheet. If you all could complete  
14 that and leave your business cards in there, then I'd  
15 appreciate that.

16 So I'll open the floor to anyone who has any  
17 questions in regards to what Ardena has gone over if  
18 anyone has any questions. Identify yourself.

19 MS. SMALLEY: Sarah Smalley.

20 MS. LEWIS: We have -- okay.

21 MS. SMALLEY: The prior auditor -- the prior

1 auditor for this contract --

2 MS. LEWIS: The incumbent?

3 MS. SMALLEY: Did you have a prior auditor  
4 for this contract?

5 MS. LEWIS: Yeah. You're saying if we have  
6 an incumbent now?

7 MS. SMALLEY: Uh-huh.

8 MS. LEWIS: Yes, we do. That would be Myers  
9 and Stauff is who has the contract now.

10 VOICE: What is the percentage goal for the  
11 MBE on this contract?

12 MS. LEWIS: Fifteen percent and one percent -  
13 -

14 VOICE: Fifteen percent?

15 MS. LEWIS: -- VSBE veterans.

16 VOICE: Okay. Other question, the MBE can  
17 submit a prime proposal as well as --

18 MS. LEWIS: Yes, they can and they actually  
19 can be 50 --

20 MS. ROBINSON: Fifty percent. The MBE, if  
21 they -- if you're the prime vendor, you can count your

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1 participation up to 50 percent of the goal. So, for  
2 example, you would only be using 7.5. Then you would  
3 have to find another MBE to make up the difference --

4 VOICE: Okay.

5 MS. ROBINSON: -- or exceed it if you could.

6 VOICE: Okay. One other question. So MBE,  
7 you bid as a prime, you have to also submit for the sub  
8 as well?

9 MS. LEWIS: Yes.

10 MS. ROBINSON: Yes.

11 MS. LEWIS: You can, as she said, stated, you  
12 can bid up to 50 percent of that goal, but then you  
13 would still have to -- what is it, 7. --

14 MS. ROBINSON: Seven point five, yeah.

15 MS. LEWIS: You'd have to subcontract that  
16 out.

17 VOICE: Okay. Is that same for VSBE?

18 MS. ROBINSON: No. For VSBE, no, it doesn't,  
19 it doesn't follow the same rules. They're in a sub-  
20 goal or they're -- no. There's --

21 VOICE: So if I'm the prime as a VSBE, then I

1 automatically meet that goal?

2 MS. LEWIS: I think --

3 MS. WALKER: For the VSBE, no, that's two  
4 different goals because the MBE is 15 percent and the  
5 VSBE is one percent.

6 MS. LEWIS: Are you registered as an MBE or  
7 you just --

8 VOICE: I'm not an MBE yet, but we're going  
9 through that process now.

10 MS. LEWIS: Uh-huh.

11 VOICE: I am certified.

12 MS. LEWIS: A VSBE?

13 VOICE: Yes.

14 MS. ROBINSON: I don't believe --

15 MS. LEWIS: Right.

16 MS. ROBINSON: -- that it follows the same  
17 rule. The MBE program, the laws are very specific, A,  
18 B, C. The VSBE program is a little more lacks. It's a  
19 little more flex. So I believe that as a VSBE, you  
20 would -- if you were the prime vendor, you would not  
21 meet the goal. You would need to find another -- but

1 you could participate obviously as a VSBE, but with  
2 another prime.

3 MS. SMALLEY: Can you go over some of the  
4 statistics with regard to the breakout of the cost  
5 reports, the different types of cost reports --

6 MS. WALKER: Yes.

7 MS. SMALLEY: -- the numbers?

8 MS. WALKER: The numbers? Okay, because they  
9 sort of have changed a little bit since we  
10 transitioned.

11 MS. LEWIS: Before you start, and remember to  
12 send us that question again in writing.

13 MS. WALKER: I would say for the actual cost  
14 reports, we're looking at I'm going to say, and the  
15 minimum, I'm saying I'm going to give you a minimum  
16 number of approximately 170 per contract year. And  
17 that's a minimum. So if there are, you know, any new  
18 facilities or anything like that, then that number  
19 could potentially change.

20 MS. SMALLEY: It's per contract year?

21 MS. WALKER: Per contract year.

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1 MS. SMALLEY: Are they pretty way caught up?  
2 Are you behind in settlements?

3 MS. WALKER: For the non-nursing facilities,  
4 I would say we're a little behind, a little behind on  
5 those. And that's -- that was a recent transition over  
6 to us. So a lot became effective in FY '15. We  
7 essentially started the transitional phase-in of the  
8 prospective payment from the cost settlement payment  
9 type for approximately 212 nursing home facilities.

10 And then at the same time, the Behavioral  
11 Health Administration cost settlement responsibilities  
12 were transferred over to my office as well. So we're,  
13 you know, still working with that transition and those  
14 would be the cost settlements that would be -- sort of  
15 need to be caught up on.

16 MS. SMALLEY: All right. Do you have any  
17 kind of statistics on the number of desk reviews and  
18 limited scope and --

19 MS. WALKER: Well, that would really depend  
20 because there's a specific cycle that's followed, you  
21 know. So at this point, you can do a desk review, but



1 at least every third year, it needs to be an on-site.  
2 So, you know, considering, you know, even though we're  
3 at the prospective payment system for the nursing  
4 facilities, cost reports are still due.

5 So I would have to, you know, look at my  
6 spreadsheet to actually tell you like, you know,  
7 facility A is now due for a desk audit or is now due  
8 for, you know, an on-site or whatever. And that's a  
9 total of -- I'm going to say a total of like 350  
10 providers, individual providers per contract year. So,  
11 you know, I wouldn't necessarily be able to give you a  
12 definitive number here.

13 MS. SMALLEY: Okay. A breakout you mean?

14 MS. WALKER: Absolutely.

15 MS. SMALLEY: Okay. So then how does the 170  
16 cost reports translate to that 350 that you're talking?

17 MS. WALKER: Well, again, like I said, there  
18 was a total of 350 cost settlements under this current  
19 contract that were due per contract year. And, again,  
20 because of the transition from the nursing homes -- I'm  
21 talking about in the scheme of things two different

1 provider types and we basically identify them as the  
2 nursing facilities and the non-nursing facilities.

3 So with the transition of the nursing  
4 facilities over to the prospective payment, now there's  
5 still so many cost reports that need to be audited and  
6 those things like that. There's really no issue with  
7 cost reports.

8 Because of the transition from the Behavioral  
9 Health Administration, because we received that in FY  
10 '15, they are behind. So while we're in FY '17 right  
11 now, you know, some of the cost settlements for those  
12 non-nursing facilities are coming in at I would say  
13 '09, '08, you know.

14 Some have -- you know, we're dealing with  
15 appeals that are from 1999. So those things are part  
16 of the transition that came from another State agency  
17 over. So we're still in cleanup mode on those.

18 MS. LEWIS: Okay. I see your hand.

19 VOICE: I have a three-part question. For  
20 the prime incumbent, what was the total fee that was  
21 paid? The second question is, the hours to complete

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1 the engagements in the past in total? And then how  
2 many site reviews are typically completed by year?

3 MS. WALKER: Okay. So let me --

4 VOICE: And I'll submit it, but --

5 MS. WALKER: Right, submit it in writing, but  
6 we'll start with your first question.

7 MS. LEWIS: What's the total -- when you say  
8 total fee, you're talking about the total cost of the  
9 contract?

10 VOICE: Yeah. Well, the award fee that you  
11 paid.

12 MS. LEWIS: Okay. The award fee at that time  
13 in this -- the current contract which is now in, it was  
14 \$11,679,252 and that was for three years. This does  
15 not include the option years. Option years don't go  
16 into effect unless we are actually exercising the  
17 option.

18 VOICE: Okay.

19 MS. LEWIS: But that was what it was awarded  
20 on.

21 VOICE: Okay. Then the second part was the

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1 hours to complete the engagement for that.

2 MS. LEWIS: The term?

3 VOICE: Yeah.

4 MS. LEWIS: Okay. The term ran from -- let's  
5 see. It started at 10/1/11 and it ended in 9/30/14.  
6 And it had two one-year renewal options. This contract  
7 is straight five years.

8 VOICE: Okay.

9 MS. LEWIS: This new one that we're doing,  
10 we're doing a straight five years with no options.

11 VOICE: So as far as the hours, you'll just  
12 go through and just do an analysis from there? You  
13 didn't have a total hours that you tracked?

14 MS. WALKER: We tracked hours. I just don't  
15 have it down here in front of me.

16 VOICE: Okay. So I'll send that question.

17 MS. LEWIS: Send that question, right.  
18 Right.

19 VOICE: And then how many sites would  
20 typically complete it?

21 MS. WALKER: Three hundred and fifty per

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1 contract year.

2 VOICE: Thank you. All right. And I'll send  
3 that question in again.

4 MS. WALKER: Okay.

5 MS. LEWIS: Anyone else have any questions?

6 VOICE: All these questions for the pre-bid -  
7 - this pre-bid conference would be provided to  
8 everyone?

9 MS. LEWIS: Yes.

10 MS. AMMONS: Oh, yes. It will be posted on  
11 eMaryland Marketplace and DHMH website. A copy of the  
12 sign-in sheet will be included along with the minutes  
13 and the addendum, you know, extending the due date.

14 VOICE: Excuse me. Is the incumbent company  
15 available to rebid on this contract?

16 MS. LEWIS: Yes, they are.

17 Any more questions?

18 VOICE: Can I be clear on something? So you  
19 said there were 350 site reviews in a given year.

20 MS. WALKER: Three -- okay. Let's clarify.  
21 Three hundred and fifty cost settlements were issued

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1 per cost settlement year. So out of that, your  
2 question to me is how many were site reviews and how  
3 many were desk audits?

4 And I don't have that number in front of me,  
5 but that was the total per contract year of cost  
6 settlements that you are -- were in the contract to be  
7 received and they were.

8 MS. LEWIS: Any other questions?

9 VOICE: I just wanted to be clear and I'll  
10 send it in. As a subcontractor, if you're currently  
11 certified as both an MBE and a VSBE, are you able to  
12 fulfill both requirements for the prime contract or  
13 it's one or the other?

14 MS. LEWIS: One or the other. And remember  
15 the MBE goal is 15 percent, VSBE --

16 MS. AMMONS: One percent.

17 VOICE: And the reason I ask is because we're  
18 a VSBE on other contracts within Maryland government  
19 and it's difficult a lot of times for the prime to  
20 allocate task orders for one percent. So by being able  
21 to be both if you're duly certified is not only help to

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1 the subcontractor but also to the prime?

2 MS. ROBINSON: I believe you're preaching to  
3 the choir here. But we don't have any influence on the  
4 rules. We can't -- that program is run by the -- the  
5 VSBE is run by the Governor's office. MDOT handles MBE  
6 certification. The Legislature handles all COMAR and  
7 the laws. We just get the rules and nod and smile.

8 MS. LEWIS: Any other questions?

9 VOICE: Were there any particular issues that  
10 arose in the previous contract that was not anticipated  
11 in the original proposal that caused the hours to  
12 fluctuate greatly or were there any quality control  
13 issues that came up that was beyond the scope, due to  
14 issues beyond the scope of work?

15 MS. WALKER: That was a lot. I'm trying to  
16 put it back together. Okay? So you were asking --

17 VOICE: Basically were there -- did issues  
18 arise that greatly affected what the initial estimate  
19 was based upon the initial proposal?

20 MS. WALKER: Yes. Some special projects  
21 because we have no idea, you know, if another State

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1 agency is going to contact us and say, hey, we know  
2 that you have this particular contract and we need that  
3 same service, is it possible for this contractor to do  
4 such and so and so.

5 Well, because we have a limited amount of  
6 hours or whatever, that may have caused us to have a  
7 modification in the contract for us to assign that same  
8 contract to now perform that work for that other State  
9 agency as well.

10 So, yes, those kinds of things, you know, may  
11 occur. You know, they did in this past one as well.

12 VOICE: Okay. Thank you.

13 MS. WALKER: But as far as the quality, I  
14 forget. Something about the quality?

15 VOICE: Well, just like were the issues that  
16 arose that impacted the quality of the service that  
17 weren't initially --

18 MS. WALKER: No. Absolutely no.

19 MS. LEWIS: Anyone else?

20 MS. WALKER: And that's -- and I would say  
21 that's because I do believe in frequent conversations.



1 So there are frequent contract monitoring discussions  
2 monthly. Okay? So then that way, nothing does sort of  
3 fall off the cliff, again because we're driven, you  
4 know, by specific time lines from the Federal  
5 Government and from, you know, auditors.

6 We're always under audit, single State audit,  
7 external auditor, Department of Legislative auditors.  
8 You know, sometimes they all hit the same time, so --  
9 and I am very proud to say that my unit for four  
10 consecutive years have had no findings under any  
11 audits.

12 VOICE: Wow.

13 MS. WALKER: Absolutely. Absolutely. And  
14 that would be thanks to my chief. She's the chief of  
15 my special projects unit and the contractor will work  
16 closely, you know, with her.

17 MS. LEWIS: Anybody else? Any questions?  
18 You all got this down pat?

19 MS. AMMONS: For those individuals that came  
20 in late, we stress that the due date or due time for  
21 the proposals is at two o'clock. And this pre-proposal

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1 conference started at one. You know, you can come  
2 late, but you can't do that when the proposals are due.  
3 We will not accept any proposals after two o'clock.

4 MS. LEWIS: And that's two o'clock our time.

5 MS. AMMONS: And that's two o'clock.

6 MS. LEWIS: Right, our time. People say,  
7 well, my watch says two o'clock and our watch says it's  
8 two o'clock. So --

9 MS. AMMONS: And we will be posting a  
10 addendum, but we extended the proposal deadline to  
11 Tuesday, January the 31st. All right? So that will be  
12 posted on eMaryland Marketplace and the DHMH website.

13 After you go back to your offices, you know,  
14 and reading this again, you may have more questions.  
15 Send it in to that address that's listed in the  
16 question section, you know, to the procurement  
17 coordinator -- not procurement -- procurement officer  
18 and a copy to me as well.

19 VOICE: Does the State have WBEs?

20 MS. ROBINSON: WBE? They fall under the MBE  
21 program. They're divided by -- excuse me. It's female

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1 and then African American and then African American  
2 female, female Asian.

3 MS. LEWIS: Okay. Well, if no one has any  
4 more questions, thank you for attending. Good luck and  
5 happy holidays, happy New Year's. And we're looking  
6 forward to your submissions. Thank you for coming.

7 (Whereupon, at 2:02 p.m., the conference  
8 was concluded.)

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CERTIFICATE OF NOTARY

I, CHRIS HOFER, CVR, Notary Public, before whom the foregoing testimony was taken, do hereby certify that the witness was duly sworn by me; that said testimony is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to this action, nor financially or otherwise interested in the outcome of the action; and that the testimony was reduced to typewriting by me or under my direction.

This certification is expressly withdrawn upon the disassembly or photocopying of the foregoing transcript, including exhibits, unless disassembly or photocopying is done under the auspices of Hunt Reporting Company, and the signature and original seal is attached thereto.

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CHRIS HOFER, CVR  
Notary Public in and for  
the State of Maryland

My Commission Expires:

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